

Atty Dkt No. PP16095.003 (CHIR-16095/01US)

PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

THUDIUM et al.

Confirmation No.: 1828

Serial No.: 09/977,066

Art Unit: 1636

Filing Date: October 12, 2001

Examiner: M. Marvich

Title: CYTOMEGALOVIRUS INTRON A FRAGMENTS

U.S. Patent and Trademark Office
Box Sequence, P.O. Box 2327
Arlington, VA 22202

RESPONSE TO REQUIREMENT FOR RESTRICTION

Sir:

This is in response to the Restriction Requirement dated March 11, 2003. The Examiner therein required election of one of the following groups of claims:

Group I, claims 1-22, drawn to hCMV Intron A fragments;

Group II, claims 23-30, drawn methods of producing a recombinant polypeptide;

and

Group III, claim 31, directed to the polynucleotide of SEQ ID NO:6.

Applicants hereby elect to prosecute the claims of Group I, claims 1-22, without traverse. Applicants expressly reserve their right under 35 USC §121 to file one or more divisional applications directed to the nonelected subject matter during the pendency of this application.

Applicants are also submitting a substitute Sequence Listing to replace the previous Sequence Listing submitted on October 12, 2001. The substitute Sequence Listing corrects typographical errors in the previous Sequence Listing.

The undersigned hereby states that the content of the attached papers and the computer-readable copy of the Sequence Listing, submitted in accordance with 37 C.F.R. §§ 1.821(c) and (e), respectively, are identical.

Accordingly, entry of the Substitute Sequence into the specification is respectfully requested.

Please direct all further communications in this application to:


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Respectfully submitted,
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Date:

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